

MINUTES OF THE MEETING FEBRUARY 1, 2016

PRESIDENT SCHULMAN: Good evening ladies and gentlemen and as always, welcome to Canton City Council. Before we begin tonight, I want to say a couple things. First, I would like to officially welcome our new Clerk of Council, Kellen Showes. *(Applause)*. I've told Kellen that if I call him Madame Clerk, he'll just have to accept the fact that that's what I have been saying now for ten years. And secondly, we have in our audience tonight, our new Fire Chief. We are thrilled to have him, Tom Garra. *(Applause)*. Chief Garra has been a member of our Fire Department for over twenty-five years and we appreciate your public service, Chief, and obviously we wish you the very best. You have an outstanding department, as you know, and with the Chief tonight is Division Chief Bennett. *(Applause)* and Captain Sacco. I think Captain Sacco was here, there he is. *(Applause)*. And I think that is all the introductory statements we have, but welcome and thanks again Chief, we wish you the very best. Thanks again for your public service. With a quorum being present, the Chair does call this meeting of Canton City Council to order. Roll call vote please, Mister Clerk.

ROLL CALL TAKEN BY CLERK SHOWES:

12 COUNCIL MEMBERS PRESENT: (FRANK MORRIS, CHRIS SMITH, JAMES BABCOCK, TOM HARMON, WILLIAM SMUCKLER, GREG HAWK, THOMAS WEST, JASON SCAGLIONE, KEVIN FISHER, DAVID DOUGHERTY, JOHN MARIOL & EDMOND MACK)

TWELVE COUNCIL MEMBERS PRESENT.

CLERK SHOWES: Council President.

PRESIDENT SCHULMAN: All present, thank you Mister Clerk. Tonight's invocation will...oh, okay...*(Laughter)*. Tonight's invocation will be given by Council Member Thomas Harmon, but actually he is going to defer to even a better, more religious figure.

MEMBER HARMON: Mr. President. Yes, someone more worthy. *(Laughter)*. I would like to defer to a good friend of Canton and a community advocate, Pastor David Morgan.

PRESIDENT SCHULMAN: Thank you. If you'll all stand and remain standing please for our Pledge of Allegiance.

PASTOR MORGAN: Mr. President, I'm here tonight, I have a cold, I'm going to leave right after the prayer. I'm breathing all over the microphone, so if anybody else is using it, you may not want to get too close. I did this because I'd promised my friend, Tom Harmon, I would and because I knew if I didn't, Mr. Harmon wouldn't have a prayer. *(Laughter)*.

The regular meeting of Canton City Council was held on February 1, 2016 at 7:30 P.M. in the Canton City Council Chamber. The roll call was taken (see above) by Clerk of Council, Kellen Showes. The invocation was given by Pastor David Morgan. The Pledge of Allegiance was led by President Schulman.

AGENDA CORRECTIONS & CHANGES

PRESIDENT SCHULMAN: Thank you very much Pastor Morgan. We hope you're feeling better. Get well soon. We're now under Agenda Corrections and Changes. Leader Morris.

MEMBER MORRIS: Mr. President, I move Rule 22A be suspended to add 2nd Reading Ordinances #11 through #12. Ordinance #2 will be withdrawn.

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MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to Suspend Rule 22A to add the 2nd Reading Ordinances 11 through 12 to this evening's agenda. Ordinance 2 is being withdrawn. Any remarks? Hearing none, Mister Clerk, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK SHOWES: Twelve yeas.

PRESIDENT SCHULMAN: Thank you, Mister Clerk. The motion carries. The Ordinances are a legal part of your agenda. Rule 22A is therefore suspended.

PUBLIC HEARINGS

PRESIDENT SCHULMAN: We're now under Public Hearings. We have none this evening.

OLD BUSINESS

PRESIDENT SCHULMAN: Under Old Business. I've been told that we have no Old Business.

PUBLIC SPEAKS

PRESIDENT SCHULMAN: We have 2 public speakers signed up tonight. Our first is Jennifer Henning.

JENNIFER HERNING: Herning.

PRESIDENT SCHULMAN: Herning. Ms. Hearing, do you want to step forward and give your name please and your residential address. And as always, welcome to Canton City Council.

JENNIFER HERNING: Many of you already know me, Ms. Jennifer Herning that doesn't care about what people think. I live at 1731 3rd St. NE. First and foremost, I am also here to give some information...my one friend who works under a magazine wants to ask a question of what you guys would do, the city, with the sewage system when people are living on the streets? I know her name and I have her number so you can contact me so she may be able to use it in her magazine however she'd like to. Her name is Jill Aeschylean (sp). Also, I'm here on behalf of this whole Stark County District as foremost and most. You guys all know that I don't give up without a fight and most of you guys in this whole district pretty much know who I am. And to be reassured, yeah I did put people in their place, yeah I said I was going to sue this Stark County District and the State of Ohio and all the authorities, put them under disciplinary acts. Yeah, I did attempt that. Yeah, I still have an open door to do so. I talked to them on the phone. But my questions is, what would the Stark County District do if all their employees of Judges and Magistrates, and Lawyers that I have dealt with, and cops endured a Federal (*Inaudible*) of degree in the Federal Court, and have to talk to anybody in any other courts? Did that not harm the courts more and our city more? So, why not have the City try to even say that they have been wrong, even so, Judges, whatever, cops (*Inaudible*) no matter who you are. You all are wrong. Everybody's wrong. I've been wrong. But I'm not here to talk about just on my behalf. I'm talking about the whole city of Canton. I've not just seen it in me, I've seen it in my members and I've seen it in every single one of you guys. And everybody has to live in the system and has to continually be in the system. (*Inaudible*) is not just for everybody that's not in the system. It's for people in the system too and work with it.

PRESIDENT SCHULMAN: Thank you very much ma'am. Appreciate it. Our next speaker is Daniel Fonte.

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Mr. Fonte, as always, welcome. If you'll step forward and give us your name and your residential address please.

DANIEL FONTE: Thank you. My name is Dan Fonte and I reside at 4415 Dawnridge Circle NW, in Canton. I'm here to discuss the water rates that the City's going to implement starting March 1st. I guess what I'm here to talk about is...you know there's a lot of seniors that live in the city and outside the city who are water customers, and a 3% increase...er...an 8% increase, which in turn says it's going to be \$11.00 a year, might not mean a lot to some people, but it means a lot to seniors who are trying to stay in their own home. I understand we have to take care of the water system, I understand we have to take care of the infrastructure, but I was just wondering if there was any thought process behind, maybe, and I know the City has a thing in place that you can apply for lower rates if you meet the criteria, but that isn't publicized and I understand that. Maybe we can go like...on consumption. You take a senior...a widow, or one person that really doesn't use the amount of water that a family with 4 or 5 kids have...a total of 7 people. So, there ought to be a way maybe, that we can kind of adjust their rate or something like that, or think about it because I think it's important. Then when you get outside the city, they're going to get double that. So, it's going to go from \$11.00 a year, if I understand right, to \$22.00 a year. We have seniors on the system who are our customers that are going to get double. Hopefully there's some thought process in there that we might be able to give those seniors a break that maybe can use a break. And the last thing is, it'd be nice if we publicized the plan of how we're going to start changing the infrastructure. How are we going to start replacing? Are we going to start on 16th St. SW and put something in, or are we just going to run around and do stuff. So, that's what I'd kind of be interested in, if there's going to be a plan put out there so we can kind of understand. I think it was said there's a mile a year they're going to shoot to put in, which is going to take forever to get everything done, but you've got to start somewhere. I would just hope that in the future we have some kind of a thought process to think about...okay, we have seniors on here that are trying to stay in their homes, the biggest asset that we all have, and it's getting harder and harder and harder for us to stay in our homes. So, hopefully, and maybe you did think about it and maybe you can explain it, maybe you didn't, but I would just hope that there's some thought process put into that, you know, for what we're going to do. Thank you very much. *(Applause)*.

PRESIDENT SCHULMAN: Thank you Mr. Fonte. Thank you. And thank you as always for your spirit on behalf of our senior citizens and the less fortunate people. We do appreciate that.

INFORMAL RESOLUTIONS

PRESIDENT SCHULMAN: We now turn to Informal Resolutions. We have three this evening. Mister Clerk, would you please begin with Informal Resolution 7. *(Inaudible)*.

#7. PERSONNEL COMMITTEE: CONFIRMING APP'T OF RODNEY MEADOWS TO ARCHITECTURAL REVIEW BD COMMENCING 1/1/16 - 12/31/19. - ADOPTED

PRESIDENT SCHULMAN: Leader.

MEMBER MORRIS: Mr. President, I move we adopt Informal Resolution #7.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Informal Resolution #7. Are there any remarks? Hearing none, by voice vote all those in favor, signify by saying aye. Those opposed no.

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NO REMARKS

RESOLUTION #7 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. The motion carries. Mister Clerk, #8, please.

#8. PERSONNEL COMMITTEE: CONFIRMING APP'T OF KARL "BUTCH" KRAUS TO ZONING BOARD OF APPEALS COMMENCING 1/1/16 - 12/31/18. - ADOPTED

PRESIDENT SCHULMAN: Leader.

MEMBER MORRIS: Mr. President, I move we adopt Informal Resolution #8.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Informal Resolution #8. Are there any remarks? Hearing none, by voice vote all those in favor, signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #8 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. The motion carries. Mister Clerk, Informal Resolution 9, please.

#9. PERSONNEL COMMITTEE: CONFIRMING APP'T OF STEVE LAMIEL TO ZONING BOARD OF APPEALS COMMENCING 1/1/16 - 12/31/18. - ADOPTED

PRESIDENT SCHULMAN: Leader Morris.

MEMBER MORRIS: Mr. President, I move we adopt Informal Resolution #9.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Informal Resolution #9. Are there any remarks? Hearing none, by voice vote all those in favor, signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #9 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. The motion carries.

COMMUNICATIONS

PRESIDENT SCHULMAN: We're now under Communications. Let the journal show that all Communications are received as read.

NOTE: ALL COMMUNICATIONS WHICH FOLLOW, LISTED BY AGENDA TITLE, ARE ON FILE IN THEIR ENTIRETY IN THE COUNCIL OFFICE WITH THE AGENDA ITEMS FILE DATED FEBRUARY 1, 2016.

32. AUDITOR MALLONN: CERTIFICATE OF THE TOTAL AMT FROM ALL SOURCES FOR 2016 REVISION. - RECEIVED & FILED

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33. FINANCE DIR DIRUZZA: AMEND APPROP O#259/2015 TO CLOSE 2015 FISCAL YR (\$22,629.64 SUPP APPROP FR UNAPPROP BAL OF 4502 MOTOR VEHICLE PURCHASE FUND TO: 4502 104020 TRAFFIC SIGNAL - PERSONNEL FOR \$11,649.61, 4502 104040 TRAFFIC ENGINEERING - PERSONNEL FOR \$4,980.03, AND 4502 202210 STREET MAINTENANCE - OTHER FOR \$6,000.00). - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
34. FINANCE DIR DIRUZZA: APPROVE ISSUANCE OF \$1,000,000.00 NOTE TO COVER INCOME TAX REFUNDS WITH MATURITY DATE 6 MOS FR DATE OF ISSUANCE AND TO BEAR INTEREST AT RATE NOT TO EXCEED 1% PER ANNUM; AMEND APPROP O#259/2015 (\$4000,000.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL FUND TO 1001 801001 AUDITOR ADMIN - OTHER AND \$600,000.00 SUPP APPROP FR UNAPPROP BAL OF 2120 INCOME TAX FUND TO 2120 852101 INCOME TAX ADMIN - OTHER). - FINANCE COMMITTEE
35. PROP OWNER JILL MILLER: REQ AUTHORIZATION FOR ZONE CHANGE OF LOT 206330 LOCATED AT 1316 3RD ST SE, WARD 4 (PAL MISSION). - PLANNING COMMISSION
36. SAFETY DIR PERRY: AUTHORIZE SAFETY DIR TO PAY \$2400.00 MORAL OB TO KENT STATE UNIVERSITY FOR EXCEL TRAINING. - FINANCE COMMITTEE
37. SAFETY DIR PERRY: CLARIFY THAT CONTRACT EXTENSION FOR HEALTHCARE BENEFITS ADMIN O#2/2016 DOES NOT APPLY TO EMPLOYEES CONTRIBUTION TOWARDS BENEFITS. - RECEIVED & FILED
38. SAFETY DIR PERRY: REQ APPROVAL TO AMEND O#260/2013 AS IT RELATES TO CODIFIED ORD CH 1353 "FORECLOSED PROP & BLDGS"; REQ VACANT/FORECLOSURE REGISTRY EXPENSE SPECIAL REVENUE FUND BE AMENDED TO ALLOW THE FUNDS TO BE USED FOR ADDITIONAL PERSONNEL, COSTS OF BOARD UPS, REMOVAL OF TRASH & DEBRIS, AND DEMO OF STRUCTURES WITHIN CITY.-JUDICIARY COMMITTEE
39. SERVICE DIR BARTOS: AUTHORIZE THE MAYOR/SERV DIR ENTER INTO A PROF SERV CONTRACT WITH FROST BROWN TODD LLC FOR LEGAL SERV RELATED TO THE OEPA REGULATION OF THE WRF; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. -FINANCE COMMITTEE
40. SERVICE DIR BARTOS: REQ \$725,340.00 SUPP APPROP OF GRANT/LOAN FUNDS FROM THE UNAPPROP BAL OF THE 5231 53RD ST RESERVOIR ROOF REPLACEMENT PROJ FUND TO 5231 207033 53RD ST RESERVOIR ROOF REPLACEMENT PROJ-OTHER; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE AND PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
41. SERV DIR BARTOS: AUTHORIZE MAYOR/SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONTRACT FOR PURCHASE OF 1 INT'L TANDEM AXLE CAB/CHASSIS FOR WATER DEPT; ALTERNATIVELY AUTHORIZE MAYOR/SERV DIR TO ENTER INTO CONTRACT FOR PURCHASE OF SAME IN ACCORDANCE WITH ORC 125.04 OR ORC 5513.01; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF

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VOUCHERS. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE

42. SERV DIR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR AND/OR PARK COMMISSION TO APPLY FOR, ENTER INTO AGMT, AND RECEIVE FUNDS FR MULTIPLE POTENTIAL FUNDING SOURCES FOR VARIOUS CITY PROJECTS. - FINANCE COMMITTEE
43. SERV DIR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO EXECUTE CHANGE ORDER NO. 2 FOR ALLENFORD SE SANITARY SEWER PROTECTION PROJ, GP 1114, CONTRACT NO. 2015-27, WITH LOCKHART CONCRETE CO FOR \$37,291.00; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE COMMITTEE
44. SERV DIR BARTOS: REQ CONSENT LEGISLATION WITH ODOT FOR STA-US30-16.46, WAYNESBURG RD TO TRUMP, PID 100958, GP1244 PROJ. - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
45. SERV DIR BARTOS: REQ PARTICIPATORY/CONSENT LEGISLATION WITH ODOT FOR STA-SR62-24.90 MIDDLEBRANCH AND 30TH ST RECONFIGURATION, PID 96346, GP 1214 PROJ. - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
46. SERV DIR BARTOS: REQ CONSENT LEGISLATION WITH ODOT FOR STA-US62-22.19, I-77 TO MARKET, PID 84654, GP1243 PROJ. - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
47. SERV DIR BARTOS: DECISION TO IMPLEMENT PROPOSED 8% WATER RATE INCREASE, EFFECTIVE 3/1/16. - RECEIVED & FILED
48. SERV DIR BARTOS: 2015 WRF ANNUAL REPORT OF OPERATION. - RECEIVED & FILED
49. STARK CO COMMISSIONERS: REQ ANNEX OF 0.099 ACRES OF LAND IN PLAIN TWP TO CITY OF CANTON (FIRST TEE OF CANTON NO. 2 - WARD 6). - ANNEXATION COMMITTEE

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING

PRESIDENT SCHULMAN: Turning now to Formal Resolutions and Ordinances for the First Reading, Mister Clerk, will you begin with Ordinance 1.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK SHOWES TO READ ORDINANCE #1 THROUGH ORDINANCE #10 FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- #1. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ACCEPT REIMBURSEMENT GRANT FUNDS FROM JOBS OHIO IN THE AMOUNT OF \$148,215.00 FOR EXPENSES ASSOCIATED WITH THE PHASE 2 ENVIRONMENTAL ASSESSMENT OF THE FORMER WEBER DENTAL FACILITY; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Community & Economic Development Committee
- #2. (1ST RDG) **WITHDRAWN** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF

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PUBLIC SERVICE TO ENTER INTO A CONTRACT WITH BROWNFIELD RESTORATION GROUP IN AN AMOUNT NOT TO EXCEED \$148,215.00 FOR PHASE 2 ENVIRONMENTAL ASSESSMENT WORK PERFORMED AT THE FORMER WEBER DENTAL FACILITY; AMENDING APPROPRIATION ORDINANCE NO. 259/2015; AND DECLARING THE SAME TO BE AN EMERGENCY (\$148,215.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL FUND TO 1001 506001 COMM. DEV. ADMIN. - OTHER; \$148,215.00 SUPP APPROP FR UNAPPROP BAL OF 2817 JOBS OHIO FUND TO 2817 506001 COMM. DEV. ADMIN. - OTHER; \$148,215.00 INTERFUND ADVANCE/ADVANCE REPAYMENT FR 1001 506001 COMM. DEV. ADMIN. - ADV. OUT TO 2817 506001 COMM. DEV. ADMIN. - ADV. IN; \$148,215.00 INTERFUND ADVANCE/ADVANCE REPAYMENT FR 2817 506001 COMM. DEV. ADMIN. - ADV. OUT TO 1001 506001 COMM. DEV. ADMIN. - ADV. IN)
Referred to Public Property Capital Improvement Committee

- #3. (1ST RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 259/2015; AND DECLARING THE SAME TO BE AN EMERGENCY (\$2,638,999.64 FR UNAPPROP BAL OF 4504 2015 CONSTR/RECONSTRUCTION NOTE FUND TO 4504 201001 SERVICE DIRECTOR ADMIN - OTHER; \$73,334.00 FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207003 BILLING AND RECORDS - OTHER; \$73,334.00 FR UNAPPROPRIATED BALANCE OF 5410 SEWER FUND TO 5410 207003 BILLING AND RECORDS - OTHER; \$73,332.00 FR UNAPPROP BAL OF 5601 REFUSE FUND TO 5601 207003 BILLING AND RECORDS - OTHER)
Referred to Public Property Capital Improvement and Finance Committees
- #4. (1ST RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO RENEW THE CITY'S CONTRACT WITH HYLAND ADMINISTRATIVE SERVICES, LLC IN AN AMOUNT NOT TO EXCEED \$164,769.00 FOR GENERAL LIABILITY, AUTOMOTIVE LIABILITY, PUBLIC OFFICIALS LIABILITY, LAW ENFORCEMENT LIABILITY, EMPLOYER'S LIABILITY, EMPLOYEE BENEFITS LIABILITY, AND CYBER LIABILITY INSURANCE AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee
- #5. (1ST RDG) AN ORDINANCE APPROVING AND ACCEPTING THE RECORD PLAT OF NEW DAWN DEVELOPMENT NO. 2, REPLATTING ALL OF OUTLOT 1071 AND PART OF OUTLOT 1072 AND DEDICATION OF A PUBLIC STREET; AND DECLARING THE SAME TO BE AN EMERGENCY (GREENTREE AVE SW, WARD 4)
Referred to Public Safety & Thoroughfares Committee
- #6. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO PROFESSIONAL SERVICES CONTRACTS WITH PROFESSIONAL SERVICE INDUSTRIES, INC. FOR DESIGN, ENGINEERING, CONTRACT ADMINISTRATION, AND OTHER PROFESSIONAL SERVICES FOR THE SERVICE CENTER BUILDINGS B & C ROOF REPAIR/REPLACEMENT PROJECTS AND TO ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO CONSTRUCTION CONTRACTS FOR SAID PROJECTS; AND DECLARING THE SAME TO BE AN EMERGENCY

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- #7. (1ST RDG) A FINAL RESOLUTION ADOPTING PLANS, AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO COOPERATE WITH AND REQUEST THE DIRECTOR OF TRANSPORTATION TO PROCEED WITH THE MINOR REHABILITATION ON US 30 FROM CANTON'S WEST CORPORATE LINE TO SR 43 (WAYNESBURG DRIVE); AMENDING APPROPRIATION ORDINANCE NO. 259/2015; AND DECLARING THE SAME TO BE AN EMERGENCY (\$60, 000.00 FR UNAPPROPRIATED BAL OF 4501 CAPITAL FUND TO 4501 202001 ENGINEERING ADMINISTRATION - OTHER)

Referred to Public Property Capital Improvement Committee

- #8. (1ST RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 259/2015; AND DECLARING THE SAME TO BE AN EMERGENCY (\$185,168.06 SUPP APPROP FR UNAPPROP BAL OF 7501 AUDITOR/TREASURER TRANSFER FUND TO 7501 852101 INCOME TAX ADMINI REFUNDS; \$1,000,000.00 FR UNAPPROP BAL OF 2120 INCOME TAX FUND TO 2120 852101 INCOME TAX ADMIN REFUNDS)

Referred to Finance Committee

(COUNCIL RECESSED AT 7:49 PM FOR THE FINANCE COMMITTEE TO DISCUSS ORDINANCE #9; RECONVENED AT 7:53 PM)

- #9. (1ST RDG) **ADOPTED AS ORDINANCE NO. 7/2016** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO EXECUTE THE DOCUMENTS NECESSARY TO RESOLVE A 1936 DEED RESTRICTION ON THE STADIUM PARCEL AS PART OF THE HOF VILLAGE PROJECT; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Finance Committee

PRESIDENT SCHULMAN: I'll come back to that in a moment, that will be referred to the Finance Committee. Do you want to finish up though, Mister Clerk, with 10 please.

- #10. (1ST RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 259/2015; AND DECLARING THE SAME TO BE AN EMERGENCY (\$2,723.54 APPROP TR FROM 2767 701001 JAIL DIVERSION GRANT FUND - PERSONNEL TO 2767 701001 JAIL DIVERSION GRANT FUND - OTHER)

Referred to Finance Committee

PRESIDENT SCHULMAN: Turning now, back to Ordinance #9. I'm going to declare an in house recess for the recess for the Finance Committee to meet in regard to Ordinance 9. You're now in recess, Chairman Mariol.

PRESIDENT SCHULMAN: Council will reconvene after the recess. Leader Morris.

MEMBER MORRIS: Mr. President, I move we suspend Rule 22A to place Ordinance #9 back on this evening's agenda.

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MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you suspend Rule 22A to place Ordinances 9 back on this evening's agenda. Any remarks? Hearing none, Mister Clerk roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS 0 NAYS

CLERK SHOWES: Twelve yeas, Sir.

PRESIDENT SCHULMAN: Thank you Mister Clerk. Motion carries. Ordinance 9 is a legal part of your agenda. Leader Morris.

MEMBER MORRIS: Mr. President I move we suspend Statutory Rules on Ordinance #9.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you suspend the Statutory Rule on Ordinance 9. Any remarks? Again hearing none, Mister Clerk roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK SHOWES: Twelve yeas, Sir.

PRESIDENT SCHULMAN: Thank you Mister Clerk. Leader you've heard the three readings.

MEMBER MORRIS: Mr. President, I move we adopt Ordinance #9.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #9. Any remarks under this Ordinance?

LAW DIRECTOR MARTUCCIO: Yes.

PRESIDENT SCHULMAN: Law Director Martuccio.

LAW DIRECTOR MARTUCCIO: Mr. President and Members of Council. I just wanted the record to reflect that the private entities and the public entities involved in this are very grateful to you, considering this and passing it on First Reading, and they wanted me to say that. Thank you.

PRESIDENT SCHULMAN: Thank...

LAW DIRECTOR MARTUCCIO: And I'm so sorry about clouding it up with talk of the cloud. *(Laughter)*.

PRESIDENT SCHULMAN: Thank you Law Director. Any other remarks? Hearing none, Mister Clerk, roll call vote please.

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NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK SHOWES: Twelve yeas, Sir.

PRESIDENT SCHULMAN: Thank you Mister Clerk. Ordinance 9 is adopted.

#9 ADOPTED AS ORDINANCE NO. 7/2016**ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING**

PRESIDENT SCHULMAN: We're now under Second Reading Ordinances. Mister Clerk would you please begin with Ordinance 11.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK SHOWES TO READ ORDINANCE #11 THROUGH ORDINANCE #12 FOR THE SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- #11. (2ND RDG) AN ORDINANCE AUTHORIZING THE LAW DIRECTOR TO ENTER INTO CONTRACT WITH THE BELOW-NAMED CITIES AND VILLAGES TO PROVIDE LEGAL REPRESENTATION IN THE PROSECUTION OF CRIMINAL CASES AND RELATED MATTERS BY THE CITY PROSECUTOR'S OFFICE; AND DECLARING THE SAME TO BE AN EMERGENCY
- #12. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO ONE OR MORE PROFESSIONAL SERVICES CONTRACTS FOR ARCHITECTURAL SERVICES, ENGINEERING SERVICES, CONSTRUCTION OVERSIGHT SERVICES, AND ALL OTHER PROFESSIONAL SERVICES NECESSARY FOR THE MARKET SQUARE ENHANCEMENT PROJECT FOR A TOTAL AMOUNT NOT TO EXCEED \$200,000.00; AND DECLARING THE SAME TO BE AN EMERGENCY

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT SCHULMAN: Thank you Mr. Clerk. We are now under Ordinances and Formal Resolutions for Third, Final Reading and Vote. Would you please begin with Ordinance 13.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK SHOWES TO READ THE FOLLOWING ORDINANCE #13 FOR THE THIRD READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- #13. (3RD RDG) **ADOPTED AS ORDINANCE NO. 8/2016** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO EXECUTE A PROFESSIONAL SERVICES CONTRACT WITH CT CONSULTANTS FOR DESIGN OF THE AVONDALE AREA WATER MAIN REPLACEMENT PROJECT (PHASE II); AMENDING APPROPRIATION ORDINANCE NO. 259/2015; AND DECLARING THE SAME TO BE AN EMERGENCY (\$84,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207040 AVONDALE AREA WATER MAIN REPLACEMENT PROJ PHASE II - OTHER)

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PRESIDENT SCHULMAN: Leader Morris.

MEMBER MORRIS: Mr. President, I move we adopt Ordinance #13.

MEMBER SMITH: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 13. Any remarks under this Ordinance? Hearing none, Mister Clerk again, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK SHOWES: Twelve yeas, Mr. President.

#13 ADOPTED AS ORDINANCE NO. 8/2016

PRESIDENT SCHULMAN: Thank you Mister Clerk. Ordinance 13 is adopted.

ANNOUNCEMENT OF COMMITTEE MEETINGS

PRESIDENT SCHULMAN: We turn to Announcement of Committee Meetings. Chairman Mariol, announcements of Committee meetings.

MEMBER MARIOL: Finance Committee is going to have a work session tomorrow at 5:45. I believe the email was already sent out notifying everybody about that. We will have a Finance Committee meeting February 8 at 6:30.

PRESIDENT SCHULMAN: Thank you Chairman.

MEMBER SMITH: Mr. President.

PRESIDENT SCHULMAN: Yes, Assistant Majority Leader Smith.

MEMBER SMITH: C&ED will also meet on February 8th at 6:30.

PRESIDENT SCHULMAN: Thank you.

MEMBER HAWK: Mr. President.

PRESIDENT SCHULMAN: Chairman Hawk.

MEMBER HAWK: Public Safety & Thoroughfares will meet at the same time, same place.

PRESIDENT SCHULMAN: Thank you.

MEMBER DOUGHERTY: Mr. President.

PRESIDENT SCHULMAN: Yes, Chairman Dougherty.

MEMBER DOUGHERTY: Public Property Capital Improvement will also meet.

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PRESIDENT SCHULMAN: Thank you. No other announcements?

MISCELLANEOUS BUSINESS

PRESIDENT SCHULMAN: We turn now to Miscellaneous Business. Is there any? Hearing none, Leader.

MEMBER MORRIS: Move we adjourn.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to adjourn. Mister Clerk, wonderful start. Good job. Thank you very much, if you'll call the roll.

CLERK SHOWES: Thank you.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK SHOWES: Twelve yeas, Sir.

PRESIDENT SCHULMAN: Thank you, Mister Clerk. *(Gavel falls)* Meeting is adjourned. Thanks everyone. Drive carefully.

ADJOURNMENT TIME: 8:00 P.M.

ATTEST:
KELLEN SHOWES
CLERK OF COUNCIL

APPROVED:
ALLEN SCHULMAN
PRESIDENT
